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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/644,849

08/21/2003

Szu-Han Wu

WUSZ3001/EM

6156

23364 7590 01/04/2007  
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EXAMINER

KIM, ANDREW

ART UNIT

PAPER NUMBER

3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/644,849	<b>Applicant(s)</b> WU, SZU-HAN	
	<b>Examiner</b> Andrew Kim	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers ("Using Handhelds and PCs Together", 2001).**

Myers discloses how personal handheld computers (personal data assistants "PDA" and cell phones) interoperate with desktop and built-in computers seamlessly in real time.

Claims 1, 2, 6. Myers discloses a method for simulating a joystick of a computer by means of a portable electronic device, comprising the step of in response to interconnecting the portable electronic device and the computer under a current

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connecting mode and receiving a confirmation instruction for activating a joystick simulation, causing the portable electronic device to perform the steps of:

initializing the communication interface and sending a joystick ID to the computer (page 36, col. 1); The PDA must initialize a communication interface such as a serial cable, or wirelessly to communicate with the computer. Additionally, an joystick ID must be sent such that the computer may accept output from the PDA in order to control functions on the computer.

setting a plurality of keys on a keypad of the portable electronic device as a plurality of game keys and a game interrupt key so as to finish the interconnection between the portable electronic device and the computer and the setting in simulating the portable electronic device as an associated joystick of the computer. The keys of the PDA must be set to control the computer such that it may change the slides. An interrupt function must also be implemented such that the computer and the PDA can disconnect safely.

Myers substantially discloses the invention as claimed but fails to explicitly teach:

determining whether the portable electronic device is connecting to the computer under one of other predetermined connecting modes;

terminating the current connecting mode if the determination is positive;

However, it is old and well known in the art that these events need to take place for the device to change the function of the device and how the computer perceives the device.

One of ordinary skill in the art at the time of the invention would have seen the benefit of

changing the ID of the connected portable device in case it was already connected as a PDA. Such a situation would allow the computer react more efficiently to any output from the portable device.

Claim 3. Myers substantially discloses the invention as claimed but fails to explicitly teach wherein in response to setting the plurality of keys on the keypad of the portable electronic device as a plurality of game keys and a game interrupt key, a pressing of a functional key of the keys will issue a pressing signal and will cause the portable electronic device to perform the steps of: reading the pressing signal; determining a source of the pressing signal; in response to determining the pressing signal is issued by pressing the functional key, determining whether the functional key has been set as one of the plurality of game keys; and sending a data package associated with the pressing signal to the computer prior to reading a pressing signal issued by pressing another functional key of the keys if the determination whether the functional key has been set as one of the plurality of game keys is positive. However, one of ordinary skill in the art at the time of the invention would have seen the benefit of implementing the pressing of keys this way to provide the user with a method to send commands and to make sure that the first command is sent before a second one is sent.

Claim 4. Myers substantially discloses the invention as claimed but fails to explicitly teach the step of determining whether the functional key has been set as the game interrupt key if the determination whether the functional key has been set as one of the plurality of game keys is negative. However, one of ordinary skill in the art at the time of the invention would have seen the benefit of determining whether the functional key has

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been set to prevent a functional key being set as the same as a game interrupt key.

Such a situation would be disadvantageous to the user because the PDA will mistakenly rescind its joystick ID which would change the function of the PDA.

Claim 5. Myers substantially discloses the invention as claimed but fails to explicitly teach the steps of terminating the interconnection between the portable electronic device and the computer and returning to the previous connecting mode interconnected the portable electronic device and the computer if the determination whether the functional key has been set as the game interrupt key is positive. However, one of ordinary skill in the art at the time of the invention would have seen the benefit of the interrupt key functioning this way to reset the ID of how the computer perceives the PDA.

Claim 7. Myers discloses wherein the portable electronic device is a PDA (Personal Digital Assistant) (pg. 35, col. 1).

Claim 8. Myers discloses wherein the portable electronic device is a mobile phone (pg. 35, col. 1).

Claim 9. Myers discloses wherein the communication interface is a transmission line (pg. 36, col. 1).

Claim 10. Myers discloses wherein the communication interface is a wireless communication element (pg. 36, col. 1).

### ***Citations***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

<http://www.pebbles.hcii.cmu.edu/software/remotecmd/index.php> - Remote commander, uses a PDA as a remote control for the computer.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



SCOTT E. JONES  
PRIMARY EXAMINER

AK 12/26/2006